

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,
et al.,

Petitioners-Plaintiffs,

v.

STEVEN SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617-WGY

**JOINT MOTION FOR AN ORDER REQUIRING PRODUCTION OF CONFIDENTIAL
MEDICAL INFORMATION**

In anticipation of the May 7, 2020 hearing on Plaintiffs’ Motion for Preliminary Injunction, Plaintiffs requested that Defendant produce medical records of class members. Defendants do not object to producing such records in general, subject to certain limits being discussed by the parties. Defendants do believe that the information is potentially subject to the Health Insurance Portability and Accountability Act’s (“HIPAA”) privacy requirements, and/or the Privacy Act, and perhaps other source of confidentiality.¹ Therefore, the parties jointly seek an order of the Court requiring such production as the parties have agreed upon. A form of proposed order is attached hereto.

Dated: April 29, 2020

¹ Defendants take no position as to whether the Privacy Act requires prior notice to the detainees that their medical records may be disclosed. Plaintiffs’ position is that no prior notice is required “when the District Court considers a request for a Privacy Act order in the discovery context....” *Laxalt v. McClatchy*, 809 F.2d 885, 889-90 (D.C. Cir. 1987).

Respectfully submitted,

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